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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,589	12/04/2001	Shin Yamade	II7448US	5168

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EXAMINER

QURESHI, SHABANA

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/004,589

Applicant(s)

YAMADE ET AL.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                                         |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/14/04, 11/15/04</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al (US Patent No. 6,415,264, hereinafter "Walker").

In regard to claims 1 and 6, Walker teaches a www server on the Internet enabling browsing and/or evaluation of information provided in relation to a proposed theme, as well as managing users' points accompanying proposal, provision, browsing and/or evaluation of the information (abstract); the users accessing the server through respective user terminals being managed by respective user Ids (column 6, lines 5-10); the each user ID being made to correspond to points which increase/ decrease according to such as acceptance/giving of various information through the WWW server (column 4, lines 30-43); and user information such as the

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user ID and the points being recorded to an appropriate database (column 4, lines 30-43),

wherein the WWW server comprises the following items (1)-(9):

(1) in accordance to an operational input of a user through the user terminal, the server sends, to the user terminal, data for generating an input-accepting screen for inputting a theme for collecting information (column 6, lines 1-48; column 7, lines 4-15);

(2) the server accepts the information-collecting theme inputted through the input-accepting screen displayed on the user terminal, and records the theme to an appropriate storage means (column 6, lines 1-48; column 7, lines 4-15);

(3) in accordance to an operational input of a user through the user terminal, the server sends, to the user terminal, data for generating a screen for displaying the information-collecting theme and for accepting input of information relating to the theme (column 6, lines 1-48; column 7, lines 4-15);

(4) the server records, to the storage means, the theme-related information inputted through the information-accepting screen displayed on the user terminal (column 6, lines 1-48; column 7, lines 4-15);

(5) in accordance to an operational input of a user through the user terminal, the server sends, to the user terminal, data for generating a screen for displaying the information-collecting theme and the theme-related information (column 3, lines 55-57; column 6, lines 1-48; column 7, lines 4-15);

(6) the server decreases the points of the user who browsed the theme-related information, and records this to the database (column 3, lines 64-67; column 4, lines 33-43);

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(7) in accordance to the theme-related information being browsed, the server increases the points of the user who proposed the theme, and records this to the database (column 3, lines 64-67; column 4, lines 33-43);

(8) the server accepts the user's evaluation of the theme-related information through the user terminal, and records the evaluation to the storage means (column 6, lines 45-52); and

(9) in accordance to the obtained evaluation result, the server calculates the points of the user who provided the theme-related information, and records this to the database (column 6, lines 45-52).

As per claims 2 and 7, Walker teaches a www server according to claim 1, wherein the evaluation of the theme-related information in the item (8) is a result of a vote accepted from the user terminal (column 6, lines 53-62).

As per claims 3 and 8, Walker teaches a www server according to claim 1, wherein the server decreases the points of the user who proposed the information-collecting theme, and records this to the database (column 4, lines 3-5, Seller is charged points (money) for posting services).

As per claims 4 and 9, Walker teaches a www server according to claim 1, wherein the calculation of the points in the item (9) is an addition process (column 6, lines 45-52, number of sales are added, number of unsatisfied customers are added).

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As per claims 5 and 10, Walker teaches a www server according to claim 1, wherein a billing process to the user is conducted instead of the decreasing of the points (column 4, lines 3-5, Seller is charged points (money) for posting services).

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hess et al (US Patent No. 6,732,161): which teaches the presentation of an interface for on-line customer-to-customer trading, through which a customer may submit a query and is provided with a web page with relevant information including theme-related items for sale.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990. The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi  
Examiner  
Art Unit 2155

SQ  
March 11, 2005

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER